



Docket No. 4635-4001US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Peter MILLER and Timothy ROMERO

Group Art Unit: TBA

Serial No.: 10/823,429

Examiner: TBA

Filed: April 12, 2004

For: DIETARY SUPPLEMENTS CONTAINING EXTRACTS OF CINNAMON AND
METHODS OF USING SAME TO ENHANCE CREATINE TRANSPORT

CERTIFICATE OF MAILING (37 C.F.R. §1.8(A))

Mail Stop _____
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I hereby certify that the attached:

1. Information Disclosure Statement;
2. Form PTO-1449 listing 19 references;
3. Copies of 19 references listed on PTO-1449;
4. Return Postcard

along with any paper(s) referred to as being attached or enclosed and this Certificate of Mailing are being deposited with the United States Postal Service on date shown below with sufficient postage as first-class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: April 29, 2004

By: _____

Kimber L. Blackburn
Kimber L. Blackburn
Registration No. 41,380

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INFORMATION DISCLOSURE STATEMENT

Mail Stop
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is filed in accordance with 37 C.F.R.

§§1.56, 1.97 and 1.98. The items listed on Form PTO-1449, a copy of which is enclosed, are made of record to assist the Patent and Trademark Office in its examination of this application.

The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

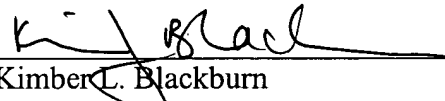
1. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:
2. ☐ For each of the following items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application.
3. ☐ Any copy of the items listed on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in application Serial No. _____, filed _____.

4. ☒ No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
- ☒ 37 C.F.R. §1.97(b)(1), within three months of the filing date of a national application other than a CPA; or
 - ☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application; or
 - ☐ 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits; or
 - ☐ 37 C.F.R. §1.97(b)(4), before the mailing date of a first office action after the filing of an RCE under §1.114.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 13-4500., Order No. 4635-4001US1. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: April 29, 2004

By: _____


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Registration No. 41,380

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FORM PTO-1449

INFORMATION DISCLOSURE CITATION

Attorney Docket:
4635-4001US1Serial No.:
10/823,429Applicant:
Peter MILLER and Timothy ROMEROFiling Date:
April 12, 2004Group Art Unit:
TBA

U.S. PATENT DOCUMENTS

Examiner Initial	Patent Number	Publication Date	Name	Class	Sub-Class	Filing Date
	5,968,900	10/19/1999	GREENHAFF et al.	514	3	12/15/1995
	6,136,339	10/24/2000	Paul T. GARDINER	424	439	8/21/1998
	6,200,569 B1	3/13/2001	Nanzheng CHENG	424	195.1	11/5/1997
	6,136,339 C1	11/12/2002	Paul T. GARDINER	424	439	8/21/1998

FOREIGN PATENT DOCUMENTS

Examiner Initial	Patent Number	Publication Date	Country	Class	Sub-Class	Translation
						<input type="checkbox"/> Yes <input type="checkbox"/> No
						<input type="checkbox"/> Yes <input type="checkbox"/> No
						<input type="checkbox"/> Yes <input type="checkbox"/> No
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						<input type="checkbox"/> Yes <input type="checkbox"/> No
						<input type="checkbox"/> Yes <input type="checkbox"/> No
						<input type="checkbox"/> Yes <input type="checkbox"/> No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Papers, etc.)

	A.L. Green, E.J. Simpson, J.J. Littlewood, I.A. MacDonald and P.L. Greenhaff, "Carbohydrate ingestion augments creatine retention during creatine feeding in humans," 1996, Acta Physiol Scand., 158: 195-202.
	A.L. Green, E. Hultman, I.A. MacDonald, D.A. Sewell and P.L. Greenhaff, "Carbohydrate ingestion augments skeletal muscle creatine accumulation during creatine supplementation in humans," 1996, American Journal of Physiology, 271(5): E821-E826.
	R.A. Anderson, C.L. Broadhurst, M.M. Polansky, W.F. Schmidt, A. Khan, V.P. Flanagan, N.W. Schoene and D.J. Graves, "Isolation and Characterization of Polyphenol Type-A Polymers from Cinnamon with Insulin-like Biological Activity," 2004, Journal of Agricultural and Food Chemistry, 52: 65-70.
	C.L. Broadhurst, M.M. Polansky and R.A. Anderson, "Insulin-like Biological Activity of Culinary and Medicinal Plant Aqueous Extracts in Vitro," 2000, J. Agric. Food Chem, 48(3): 849-852.
	M.D. Althuis, N.E. Jordan, E.A. Ludington and J.T. Wittes, "Glucose and insulin responses to dietary chromium supplements: a meta-analysis," 2002, Am J. Clin Nutr, 76(1): 148-155.
	G.R. Steenge, J. Lambourne, A. Casey, I.A. MacDonald and P.L. Greenhaff, "Stimulatory effect of insulin on creatine accumulation in human skeletal muscle," 1998, Am. J. Physiol. 275(38): E974-E979.

Examiner

Date Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609.
Draw line through citation if not in conformance and not considered.
Include copy of this form with next communication to Applicant.

* have not reviewed it

[illegible]

Examiner	Date Considered
<p>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP §609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.</p>	